

REMARKS/ARGUMENTS

In the Official Action, the Examiner raised various rejections under the second paragraph of 35 U.S.C. §112 and rejected different groups of claims, most as allegedly being anticipated by certain cited documents and one group of claims under 35 U.S.C. §103(a) as allegedly being obvious over a combination of documents (see paragraph 15 of the Action).

By the present Amendment, claim 1 has been amended to define the composition with greater precision and to include the subject matter of claims 3 and 18 with such claims, as well as claim 19, being canceled without prejudice or disclaimer. Furthermore, claims 4 and 7 have been amended to address the questions raised with respect to the §112 rejection and it is respectfully submitted that the amendments to claims 4 and 7 completely meet these rejections in the Action.

Before addressing the prior art rejections set forth in the Official Action, applicants note that claim 1 has been amended to indicate that the defined photopolymerizable composition can be cured by exposure which addresses one of the points raised in paragraph 2 of the Action. That is, the Examiner has correctly understood this aspect of the invention as a photopolymerizable composition that is capable of being cured by exposure. Furthermore, the Examiner has correctly interpreted claims 6, 8 and 9 as defining the types of exposure by which the photopolymerizable composition is capable of being exposed. In this respect, claims 6, and 8-10 also have been amended to define the photopolymerizable composition as being capable of exposure by a certain type of radiation

or means. Accordingly, applicants respectfully submit that all the claims now of record conform with the provisions of the second paragraph of 35 U.S.C. §112.

Turning to the rejections on prior art grounds, it is again noted that claim 1 has been amended to include the subject matter of original claims 3 and 18. If one considers each of the rejections set forth on pages 4-7 of the Action, it will be noted that only the rejection based on Grunewald et al., U.S. Patent No. 5,641,608, as evidenced by the SR-368 Product Bulletin and other documents includes both of claims 3 and 18. Therefore, although applicants do not necessarily concede the propriety of any of the other rejections, the amendments to claim 1 render all of the other rejections moot.

With respect to the this last rejection primarily based on Grunewald et al., those of ordinary skill in the art will appreciate that amended claim 1 defines a photopolymerizable composition that can be cured by exposure comprising:

- (A) a polymerizable compound which is solid at 25°C and has at least one radical polymerizable ethylenically unsaturated double bond and at least one amide bond in a molecule,
- (B) a radical polymerizable initiator,
- (C) a binder polymer, and
- (D) a compound capable of generating heat by infrared exposure.

Upon considering the teachings of Grunewald et al. and in particular Example 9 in column 13 which was referred to in the Action, it will be recognized that the disclosed material does not include component (A) which defines a polymerizable compound which is solid at 25°C and has at least one radical-polymerizable ethylenically unsaturated double

bond and at least one amide bond in a molecule. Thus, it is evident that Grunewald et al. and particularly Example 9 thereof does not anticipate any of the claims of record nor does it render the claims obvious since the patent does not in any way teach that the claimed polymerizable compound that has at least one radical polymerizable ethylenically unsaturated double bond and at least one amide bond in a molecule should be present in the described photopolymerizable composition. It therefore follows that claim 1 and all of the claims depending therefrom are patentable over Grunewald et al., as well as all the other cited documents of record.

For all of the reasons set forth above, applicants respectfully submit that the claims of record fully meet the rejections under 35 U.S.C. §112 set forth in the Action and are patentable over the cited documents. Accordingly, reconsideration and allowance of the present application are requested.

Should the Examiner wish to discuss any aspect of the present application, she is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
Robert G. Mukai
Registration No. 28,531

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: September 22, 2003